



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE  
BUREAU OF INVESTIGATION

SA16-250

SUPPLEMENTAL REPORT

CASE NAME: MIGEUL SILICEO & [REDACTED]

CLASSIFICATION: OFFICER MISCONDUCT

TYPE: TRANSCRIPT OF BODY WORN CAMERA – CORPORAL BECERRA

AGENCY: FULLERTON POLICE DEPARTMENT

On July 9, 2016 at approximately 0225 hours, Fullerton Police Corporal DAVID BECERRA activated his Body Worn Camera in the area of 100 West Amerige Avenue, Fullerton. He recorded part of the incident involving Fullerton Police Officers MIGUEL SILICEO and [REDACTED]. The following is a transcript of the video entitled AXON Body Video 2015-07-09 0226:

RE: SILICEO & [REDACTED]

SA 16-250

SUBJECT: TRANSCRIPT - BODY WORN CAMERA - AXON Body Video  
DAVID BECERRA – Police Corporal, Fullerton PD

PRESENT: VICTOR SERRANO

ALSO PRESENT: LUIS DIAZ

ALSO PRESENT: [REDACTED] – Police Officer, Fullerton PD

ALSO PRESENT: MIGUEL SILICEO – Police Officer, Fullerton PD

ALSO PRESENT: MICHAEL BOVA – Police Corporal, Fullerton PD

ALSO PRESENT: DAVID BECERRA – Police Corporal, Fullerton PD

ALSO PRESENT: EDWARD LEMOINE – Police Officer, Fullerton PD

DATE: 07-09-2015 02:26:03 to 02:31:30 hours

LOCATION: 100 WEST AMERIGE AVENUE, FULLERTON

Investigator: D. MELNYK #250

*David F. Melnyk*

Approved By:

*Stan Berry*

Date of Report: 08/09/2016

Date: 08/18/2016

LEGEND: ... Denotes pauses between words or phrases, incomplete sentences, Stammering, etc. (Does not indicate missing words).  
 \*\*\* Denotes unintelligible conversation.  
 (Sic) Denotes precisely reproduced word.

(AUDIO BEGAN 30 SECONDS AFTER VIDEO).

SILICEO: Get outta here. (SILICEO PUSHES DIAZ).

UNK OFFICER: Shut the fuck up.

SILICEO: He's under arrest.

UNKNOWN: \*\*\*.

SILICEO: You're going to jail now.

█ Interlace your fingers.

(UNINTELLIGIBLE CONVERSATION)

SILICEO: Get over there or you're going to jail too. Get over there or you're going to jail too.

█ Interlace your fingers.

UNK OFFICER: Let's go.

(UNINTELLIGIBLE CONVERSATION)

DIAZ: Hey, you can't push us like that. That's racist.

UNK SUBJECT: \*\*\* no we're getting a ride \*\*\*.

DIAZ: We're fuckin' walking away.

█: It's got nothing to do with racist.

(UNINTELLIGIBLE CONVERSATION)

UNKNOWN: Why you putting why you putting me \*\*\*.

DIAZ: \*\*\* right here we got witnesses. It's all good.

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(UNINTELLIGIBLE CONVERSATION)

BECERRA: \*\*\* listen to your friend.

UNKNOWN: Hey, hey, hey, hey \*\*\*.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: We didn't even do any.

DIAZ: Hey, hey we did not do nothing here.

BECERRA: You can pick him up in four hours.

(SERRANO LED TO POLICE CAR IN HANDCUFFS).

BECERRA: You should have listened to your friends.

DIAZ: Nah, nah. Hey, where's my phone?

BECERRA: Over there.

UNK SUBJECT: I got it fool.

BECERRA: Pay attention to that dude.

DIAZ: Hey, give me my phone \*\*\*.

UNKNOWN: Hey.

(UNINTELLIGIBLE CONVERSATION)

UNKNOWN: Oh dude ah...

UNK SUBJECT: We didn't do anything. How can you just push us like that?

BECERRA: He's drunk.

UNK SUBJECT: \*\*\*he's my sober friend\*\*\*

DIAZ: Oh my goodness. Hey, that's my brother right there.

(UNINTELLIGIBLE CONVERSATION)

UNKNOWN: Oh my God.

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(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: \*\*\* we're waiting for our Uber.

UNKNOWN: \*\*\* everybody.

UNK SUBJECT: Hey, come on guys.

(UNINTELLIGIBLE CONVERSATION)

UNKNOWN: Hey, it's not that big of a deal.

UNKNOWN: Hey \*\*\* come her \*\*\*.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: Abel, come on man.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: You can think we're dumbasses all you want.

DIAZ: Hey, I'm not doing nothing dude. Bro, I'm not doing nothing.

UNKNOWN: Hey.

LEMOINE: Leave. Find your car and leave.

DIAZ: We're gonna \*\*\* we got a Uber.

LEMOINE: Do you wanna go to jail too?

DIAZ: We got Uber.

(UNINTELLIGIBLE CONVERSATION)

LEMOINE: Do you wanna go to jail too? Then park your ass on the curb and sit down.

DIAZ: Dude, Uber's gonna pick us up.

UNK SUBJECT: Oh my God.

LEMOINE: Go park your ass on the curb.

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UNKNOWN: What's up \*\*\*.

UNK OFFICER: \*\*\*

(UNINTELLIGIBLE CONVERSATION)

BECERRA: Yeah.

LEMOINE: I am not babysitting your drunk ass. Go sit down.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: \*\*\* together.

LEMOINE: \*\*\* if I see you get up and walk over there you're going to jail. Do you understand?

DIAZ: \*\*\* for what, for what?

LEMOINE: Do you understand?

DIAZ: What did I do?

UNKNOWN: \*\*\*.

DIAZ: Dude, for what? I'm not even moving through here.

UNKNOWN: \*\*\*.

DIAZ: Go ahead and touch me? Go ahead and fucking, fucking touch me.  
Dude, my brother \*\*\*.

BECERRA: Are they brothers?

UNK SUBJECT: Yeah. It's his little brother.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: \*\*\* do anything. You saw that.

(UNINTELLIGIBLE CONVERSATION)

LEMOINE: Sit down.

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DIAZ: Alright. I'm going to sit down.

UNK SUBJECT: \*\*\* told me to leave \*\*\* guys are \*\*\*.

DIAZ: \*\*\* my brother didn't do anything.

UNK SUBJECT: \*\*\* to come back over here.

DIAZ: You guys fucking touched my brother for no reason.

UNK SUBJECT: Yeah, but why are you arresting him not him? No one's talking anything.

UNKNOWN: Hey dude hey, hey.

UNK SUBJECT: We're all drunk. There's no point.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: Oh my God.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: Why are you arresting me...

UNKNOWN: \*\*\*.

UNK SUBJECT: ...no one's fuckin' \*\*\* we're just waiting for our car.

DIAZ: Uber is going to pick us up right here.

█ Tell him to go over there.

DIAZ: No. He said right here and I'm gonna stay right here.

█ I'm telling you to leave.

UNK SUBJECT: All we need is our friend. We didn't do anything.

BECERRA: All he had to do was stay right here.

UNKNOWN: Uber's gonna come and pick me up right now.

UNK SUBJECT: If anything, we drank more than him. Why are you arresting him?

BECERRA: \*\*\* telling you to go.

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DIAZ: No Uber said \*\*\*.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: Oh my God. We're just trying to be reasonable.

DIAZ: If you wanna fucking...

BECERRA: \*\*\* trying to be reasonable neither is he.

█: I'm giving you a lawful order to leave now.

DIAZ: Why?

█: Okay. It's on camera.

UNK SUBJECT: That's what...he was afraid to leave...

DIAZ: \*\*\* I gotcha I...

(UNINTELLIGIBLE CONVERSATION)

DIAZ: I will go to jail \*\*\*.

UNK SUBJECT: Come on. It's cool. It's cool.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: Come on man.

DIAZ: \*\*\* I'm not, I'm not gonna \*\*\*.

(DIAZ PLACED IN HANDCUFFS).

(UNINTELLIGIBLE CONVERSATION)

DIAZ: I'm not even moving, bro. Alright. Uber, Uber's \*\*\* is recording \*\*\*.

BECERRA: You'll get out in six hours, bro. Alright.

(UNINTELLIGIBLE CONVERSATION)

UNK SUBJECT: Come on Abel.

BECERRA: He'll get out in about four to six hours. Do you know where the station is

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at?

UNK SUBJECT: No.

BECERRA: It's just down the street.

UNK SUBJECT: That street right there?

UNK SUBJECT: Yeah is it Commonwealth?

UNKNOWN: \*\*\*.

BECERRA: You go that way. In about six hours he'll get out when he sobers up.

UNK SUBJECT: Alright.

BECERRA: Alright? Be safe guys.

UNK SUBJECT: How the fuck are we gonna get home?

(PAUSE @ 0:03:39 – 0:04:06)

(UNINTELLIGIBLE CONVERSATION)

DIAZ: \*\*\* I'll record it too.

█: Okay.

DIAZ: Oh my God. Dude, you're taking my phone?

█: We got to pat you down for safety.

DIAZ: Look at this guy. Look, he's taking my phone.

█: No you're gonna get it back.

DIAZ: So embarrassing, bro. For reals, 'cuz I, I can't even\*\*\*.

█: Turn your head the other way please.

DIAZ: I cannot even understand your English.

█: Okay.

(PAUSE)

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██████: I got him.

BECERRA: Alright.

UNKNOWN: \*\*\*.

UNKNOWN: Yeah.

LEMOINE: It's overtime.

(UNINTELLIGIBLE CONVERSATION)

(PAUSE @ 0:04:45 – 0:04:54)

BECERRA: Are you good there, or do you need \*\*\*?

██████: No.

(UNINTELLIGIBLE CONVERSATION)

BECERRA: Hold on. Hold on a sec. Hey dude.

DIAZ: Yeah.

BECERRA: You'll be out in like six hours when you sober up. Just be good.

(UNINTELLIGIBLE CONVERSATION)

DIAZ: But I'm \*\*\*

BECERRA: I'm telling your right, I'm telling you right now...

DIAZ: No, bro, you know what?

BECERRA: You're not listening.

DIAZ: \*\*\*.

BECERRA: You'll be out in six hours if you be cool.

DIAZ: Yeah I, I...

BECERRA: I'm letting you know. That's for you, not me. Not for you...not for me.

DIAZ: No, but why you guys...

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UNKNOWN: \*\*\*.

DIAZ: ...why you guys, why you guys \*\*\*.

BECERRA: I'm just giving you advice man. Alright cool.

(PAUSE @ 0:05:15 – 0:05:26)

(BACKGROUND NOISE)

[END OF INTERVIEW]

TRANSCRIBED BY: SALLY BOGUE  
Orange County District Attorney's Office / JULY 7, 2016

REVISED BY: David Melnyk / DA Investigator  
(NAME / TITLE)  
Orange County District Attorney's Office / 08-09-16  
(DEPARTMENT / DATE)

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